



Reprinted
February 26, 2003

SENATE BILL No. 528

DIGEST OF SB 528 (Updated February 25, 2003 2:43 PM - DI 104)

Citations Affected: Noncode.

Synopsis: Reentry court program. Permits certain drug offenders participating in a reentry court program to receive food stamps or temporary assistance for needy families (TANF).

Effective: July 1, 2003.

**Wyss, Sipes, Meeks C, Breaux,
Miller, Skinner, Dillon, Simpson**

January 23, 2003, read first time and referred to Committee on Health and Provider Services.
February 20, 2003, amended, reported favorably — Do Pass.
February 25, 2003, read second time, amended, ordered engrossed.

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SB 528—LS 7755/DI 47+



First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

SENATE BILL No. 528

A BILL FOR AN ACT concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. [EFFECTIVE JULY 1, 2003] (a) As used in this
2 SECTION, "food stamp eligible individual" refers to an individual
3 who meets all the following requirements:

4 (1) The individual is a resident of a county having a reentry
5 court program.

6 (2) The individual was convicted of an offense under IC 35-48
7 (controlled substances) for conduct occurring after August 22,
8 1996.

9 (3) Except for 21 U.S.C. 862a(a), the individual meets the
10 federal and Indiana food stamp program requirements.

11 (4) The individual is successfully participating in a reentry
12 court program.

13 (b) As used in this SECTION, "reentry court program" refers
14 to a program that meets the following requirements:

15 (1) A circuit or superior court has established and administers
16 the program.

17 (2) The program is designed to supervise and provide services
18 to an individual who was previously incarcerated by the

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department of correction in an adult correctional facility.

(3) The goal of the program is to increase the likelihood that the individual will:

(A) become self-sufficient; and

(B) not commit additional crimes.

(4) The program provides intensive supervision, which may include twenty-four (24) hour electronic monitoring supervision of the individual.

(5) The program provides regular and direct judicial intervention that is supported and advised by a transition team that consists of at least the following:

(A) A professional from a community corrections program.

(B) A parole officer.

(C) A professional from a victim assistance program.

(D) A professional from the treatment community.

(E) An employment trainer.

(F) A community volunteer.

(c) As used in this SECTION, "TANF" refers to the federal Temporary Assistance for Needy Families program.

(d) As used in this SECTION, "TANF eligible individual" refers to an individual who meets all the following requirements:

(1) The individual is a resident of a county having a reentry court program.

(2) The individual was convicted of an offense under IC 35-48 (controlled substances) for conduct occurring after August 22, 1996.

(3) Except for 21 U.S.C. 862a(a), the individual meets the federal and Indiana TANF program requirements.

(4) The individual is successfully participating in a reentry court program.

(e) Until June 30, 2005, and in accordance with 21 U.S.C. 862a(d)(1) and this SECTION, the state elects to opt out of the application of 21 U.S.C. 862a(a) for individuals participating in a reentry court program.

(f) If referred by a court, a food stamp eligible individual may receive food stamps for not more than twelve (12) months.

(g) If referred by a court, a TANF eligible individual may receive TANF benefits for not more than twelve (12) months.

(h) Notwithstanding subsections (f) and (g), a food stamp eligible individual and a TANF eligible individual may not receive food stamp or TANF benefits after June 30, 2005.



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1 **(i) A court may modify or revoke an order issued under this**
2 **SECTION concerning a food stamp eligible individual or a TANF**
3 **eligible individual at any time.**

4 **(j) A court shall immediately notify the local office of family and**
5 **children upon the court's finding of probable cause that an**
6 **individual has committed a felony offense during the period in**
7 **which the individual is eligible for TANF or food stamps.**

8 **(k) A court shall immediately notify the local office of family**
9 **and children when an individual has been terminated from a**
10 **reentry court program during the period in which the individual**
11 **is eligible for TANF or food stamps.**

12 **(l) This SECTION expires July 1, 2005.**

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SENATE MOTION

Mr. President: I move that Senator Sipes be added as second author and Senator Meeks C be added as coauthor of Senate Bill 528.

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SENATE MOTION

Mr. President: I move that Senators Breaux, Miller, Skinner, Dillon and Simpson be added as coauthors of Senate Bill 528.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 528, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 5, delete "population of more than three hundred thousand (300,000)" and insert "**reentry court program**".

Page 1, delete line 6.

Page 1, line 16, delete "court in a county having a population of more than three" and insert "**circuit or superior court**".

Page 1, delete line 17.

Page 1, line 18, delete "thousand (400,000)".

Page 2, line 13, delete "population of more than three hundred thousand (300,000)" and insert "**reentry court program**".

Page 2, delete line 14.

Page 2, line 25, delete "the" and insert "**a**".

Page 2, line 26, delete "ordered" and insert "**referred**".

Page 2, line 27, after "for" insert "**not more than**".

Page 2, line 27, delete "A court may extend the".

Page 2, delete line 28.

Page 2, line 29, delete "ordered" and insert "**referred**".

Page 2, line 30, delete "up to twenty-four (24)" and insert "**not more than twelve (12)**".

Page 2, line 37, after "(j)" insert "**A court shall immediately notify the local office of family and children upon the court's finding of probable cause that an individual has committed a felony offense during the period in which the individual is eligible for TANF or food stamps.**

(k) A court shall immediately notify the local office of family and children when an individual has been terminated from a reentry court program during the period in which the individual is eligible for TANF or food stamps.

(l)".

and when so amended that said bill do pass.

(Reference is to SB 528 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 8, Nays 0.

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SENATE MOTION

Mr. President: I move that Senate Bill 528 be amended to read as follows:

Page 2, line 1, delete "in order" and insert "**in an adult correctional facility.**

(3) The goal of the program is".

Page 2, between lines 4 and 5, begin a new line block indented and insert:

"(4) The program provides intensive supervision, which may include twenty-four (24) hour electronic monitoring supervision of the individual.

(5) The program provides regular and direct judicial intervention that is supported and advised by a transition team that consists of at least the following:

(A) A professional from a community corrections program.

(B) A parole officer.

(C) A professional from a victim assistance program.

(D) A professional from the treatment community.

(E) An employment trainer.

(F) A community volunteer."

Page 2, line 5, delete ""TANF "" and insert ""**TANF**"".

(Reference is to SB 528 as printed February 21, 2003.)

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